

MEMORANDUM

DATE: January 31, 2008

TO: Ms. Sharon L. Summers, DMMA
Policy and Program Development Unit

FROM: Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: 11 DE Reg. 869 [TANF Employment and Training Regulations]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Social Services' (DSS) proposal to amend its TANF Employment and Training regulations published as 11 DE Reg. 869 in the January 1, 2008 issue of the Register of Regulations. Consistent with the attached R.I. Kids County summary, HHS issued stricter TANF standards in 2006 [71 Fed Reg. 37453 (June 29, 2006)] which penalize states whose TANF caseloads fail to meet a federal formula. The federal standards are prescriptive in defining both expected total work participation rates and types of countable employment-related activities. The DSS table on the bottom of p. 871 compiles the expectations. The DSS standards appear to track the federal regulations. SCPD has two (2) recommendations.

First, DSS could consider substituting "Two Employable Parent Families" for "Two Parent Families" in the heading of the second table on p. 870. This would conform to 45 C.F.R. 261.24(a)(2) which recites as follows:

The rate applies to the two-parent families with two work-eligible individuals. However, if one of the parents is a disabled work-eligible individual, we will not consider the family to be a two-parent family, i.e., we will not include such a family in either the numerator or denominator of the two-parent rate.

Second, since the current federal regulatory changes took effect in 2006, DSS could consider substituting "2006 and after" for "2002 and after" and "1999 and after" in the tables on p. 870.

Thank you for your consideration and please contact SCPD if you have any questions or comments regarding our observations on the proposed regulation.

cc: Ms. Elaine Archangelo
Governor's Advisory Council for Exceptional Citizens
Developmental Disabilities Council

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